

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:11CR3000
)	
v.)	
)	
JAY R. GILMORE,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

The defendant has moved to continue trial, (filing no. [12](#)), because defense counsel needs additional time to conduct a factual investigation and determine if a plea agreement can be negotiated. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant Jay R. Gilmore's motion to continue, (filing no. [12](#)), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on June 13, 2011 for a duration of four trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice served by continuing the trial outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and June 13, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

March 29, 2011

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge